



## Texas Department of Insurance

### Division of Workers' Compensation

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## Memorandum

**To:** Workers' Compensation System Participants

**From:** Tracey Beaver, Interim Director of the Office of Workers' Compensation Counsel

**Date:** October 7, 2013

**Subject:** Proposal: Amend 28 TAC §133.10 Regarding Health Care Provider Billing Procedures

The Texas Department of Insurance, Division of Workers' Compensation (TDI-DWC) is accepting public comment on the proposal to amend 28 Texas Administrative Code (TAC) §133.10 regarding health care provider billing procedures.

The proposal will be published in the October 11, 2013, issue of the *Texas Register* and may be viewed on the Secretary of State website at <http://www.sos.state.tx.us/texreg/index.shtml> once published. A courtesy copy is available through the TDI website at [www.tdi.texas.gov/wc/rules/proposedrules/index.html](http://www.tdi.texas.gov/wc/rules/proposedrules/index.html). The public comment period closes on Tuesday, November 12, 2013 at 5 p.m. Central Standard Time (CST). Comments received after the comment deadline will not be considered.

A public hearing is not scheduled at this time. A request for a public hearing must be submitted separately from public comment. The request for a hearing must be submitted to the TDI-DWC by Tuesday, November 12, 2013 at 5 p.m. CST. A request for a public hearing received after the request deadline will not be considered. If a hearing is held, written and oral comments presented at the hearing will be considered.

Public comments or a request for a public hearing may be submitted by e-mailing [rulecomments@tdi.texas.gov](mailto:rulecomments@tdi.texas.gov) or by mailing or delivering the comments to:

Texas Department of Insurance, Division of Workers' Compensation  
Maria Jimenez  
Workers' Compensation Counsel, MS-4D  
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The purpose of these proposed rules is to amend 28 TAC §133.10 to reflect the changes in the newly updated 1500 Health Insurance Claim Form Version 02/12 (CMS-1500). The statutory provisions of Texas Labor Code §413.011 generally require that the Commissioner of Workers' Compensation adopt the most current payment policies relating to coding, billing, and reporting used by the federal Centers for Medicare and Medicaid Services (CMS). The proposed amendments also update the requirements for the UB-04, DWC Form-066, and ADA 2006

Dental Claim forms to align with other TDI-DWC rules, which require the reporting of medical billing and payment information to the TDI-DWC.

A copy of the new form is available on the National Uniform Claim Committee website at [http://nucc.org/images/stories/PDF/1500\\_claim\\_form\\_2012\\_02.pdf](http://nucc.org/images/stories/PDF/1500_claim_form_2012_02.pdf).

If there are any questions regarding the information in this memo, contact Mayson Pearson at 512-804-4762 or [mayson.pearson@tdi.texas.gov](mailto:mayson.pearson@tdi.texas.gov).